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6 *Attorneys for Complainant*

7 **BEFORE THE**
8 **BOARD OF REGISTERED NURSING**
9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 2010-618

12 **GEORGE OLIVER LOERA**
10730 Church Street, Apt. #382
13 Rancho Cucamonga, CA 91730

A C C U S A T I O N

14 **Registered Nurse License No. RN 533879**

15 Respondent.

16
17 Complainant alleges:

18 **PARTIES**

19 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
20 official capacity as the Interim Executive Officer of the Board of Registered Nursing, Department
21 of Consumer Affairs.

22 2. On or about July 15, 1997, the Board of Registered Nursing (Board) issued
23 Registered Nurse License No. 533879 to George Oliver Loera (Respondent). The Registered
24 Nurse License was in full force and effect at all times relevant to the charges brought herein and
25 will expire on March 31, 2011, unless renewed.

26 **JURISDICTION**

27 3. This Accusation is brought before the Board, under the authority of the following
28 laws. All section references are to the Business and Professions Code unless otherwise indicated.

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1 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
2 enforcement of the case.

3 **FIRST CAUSE FOR DISCIPLINE**

4 **(Conviction of a Substantially-Related Crime)**

5 11. Respondent is subject to disciplinary action under section 2761, subdivisions (a) and
6 (f) and section 490, as defined in California Code of Regulations, title 16, section 1444, in that on
7 or about May 19, 2009, after pleading *nolo contendere*, Respondent was convicted of one
8 misdemeanor count of violating Vehicle Code section 23152, subdivision (b) [driving while
9 having a 0.08% or higher blood alcohol], in the criminal proceeding entitled *The People of the*
10 *State of California v. George Oliver Loera* (Super. Ct. San Bernardino County, 2009, No.
11 TWV900413). Respondent was placed on probation for three years, and fined. The
12 circumstances surrounding the conviction are that on or about January 8, 2009, an on duty San
13 Bernardino Sheriff's Officer was called to a non injury traffic collision involving Respondent as
14 one of the driver's. Respondent was found to have a strong odor of an alcoholic beverage from
15 his breath and person. Respondent also had red watery eyes with a horizontal gaze nystagmus
16 present. Respondent was convicted of driving while having 0.08% and more, by weight, of
17 alcohol in his blood.

18 **SECOND CAUSE FOR DISCIPLINE**

19 **(Dangerous Use of Alcohol)**

20 12. Respondent is subject to disciplinary action under section 2762, subdivision (b) and
21 (c), in that Respondent used alcoholic beverages to an extent or in a manner dangerous or
22 injurious to himself, and the public. Respondent drove a vehicle, while having 0.08% and more,
23 by weight, of alcohol in his blood. Complainant refers to, and by this reference incorporates, the
24 allegations set forth above in paragraph 11, as though set forth fully.

25 **THIRD CAUSE FOR DISCIPLINE**

26 **(Conviction Involving the Consumption of Alcohol)**

27 13. Respondent is subject to disciplinary action under section 2761, subdivisions (a) and
28 (f), as defined in section 2762, subdivision (c), in that on or about May 19, 2009, Respondent was

convicted of a crime involving the consumption of alcohol. Complainant refers to, and by this reference incorporates, the allegations set forth above in paragraph 11, as though set forth fully.

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board issue a decision:

1. Revoking or suspending Registered Nurse License No. 533879, issued to Respondent;
2. Ordering Respondent to pay the Board the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3; and
3. Taking such other and further action as deemed necessary and proper.

DATED: _____

5/28/10

for *Stacie Bern*

LOUISE R. BAILEY, M.ED., RN
Interim Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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